

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

-----  
SAMTERIOUS GORDON,

Plaintiff,

v.

DENTIST MR. BROWN, CO CROSS,  
CO FONDORF and CO CEBERS,

Defendants.  
-----

ORDER

18-cv-176-bbc

In an opinion and order dated May 16, 2018, I granted pro se plaintiff Samterious Gordon leave to proceed on claims that defendants Mr. Brown, CO Cross, CO Fondorf and CO Cebers violated his rights under the Eighth Amendment by failing to provide him dental care. I stayed a decision on plaintiff's request to proceed on state law negligence claims against defendants because plaintiff had not stated whether he satisfied Wisconsin's notice of claim statute, Wis. Stat. § 893.82. Plaintiff has responded, stating that he submitted a notice of claim to the attorney general before filing this lawsuit. Dkt. #9. Based on plaintiff's response, I conclude that plaintiff may proceed with negligence claims against defendants based on the same allegations concerning his dental needs that support his Eighth Amendment claims.

ORDER

IT IS ORDERED that the screening order in this case, dkt. #8, is AMENDED to

state that plaintiff Samterious Gordon is GRANTED leave to proceed claims on that defendants Mr. Brown, CO Cross, CO Fondorf and CO Cebers were negligent with respect to his need for dental care.

Entered this 30th day of May, 2018.

BY THE COURT:

/s/

---

BARBARA B. CRABB  
District Judge